

IOWA COMMISSION ON NATIVE AMERICAN AFFAIRS

**Credit Island Lodge
2200 West River Drive, Hwy 61 South
Davenport, Iowa**

MEETING MINUTES July 8, 2009

Members Present: Vicky Apala-Cuevas, Joe Dan Coulter, George Leduc, Karen Mackey, Greer Sisson

Members Absent: Judy Allen, Chair; Judy Yellowbank, Vice Chair; Theresa Essmann Mahoney; John Jewett; Larry Lasley; Franklin Phillips

State Staff: Preston Daniels, Director of the Iowa Department of Human Rights; Brian Jennings, Office of the Governor; Dan Altis & Molly Pim, Americorps Vista workers, Iowa Department of Human Rights.

Guests: Regina Tsosie, President, Native American Coalition of the Quad Cities; Mary Mascher, State Representative – House District 77, Iowa City; Rob Knuth; Jordan Rice; Jennifer Nesahkluah; Frank LaMere

The following Minutes were transcribed via audio recording.

I. Invocation

The invocation was given by George Leduc.

II. Call to Order, Welcome and Opening Remarks, Chair Allen

In the absence of Judy Allen, Chair; and Judy Yellowbank, Vice Chair; Vicky Apala-Cuevas presided over the meeting.

III. Roll Call

The following Commission members were present: Karen Mackey, Greer Sisson, Joe Dan Coulter, George Leduc, and Vicky Apala-Cuevas. A quorum was not present.

The following representatives from State government were present: Preston Daniels, Director, Iowa Department of Human Rights; Brian Jennings, Office of the Governor; Dan Altis and Molly Pim, Americorps Vista workers, Iowa Department of Human Rights.

Others present: Regina Tsosie

IV. Approval of Agenda

There was no formal approval for lack of quorum.

V. Approval of Minutes

- a. Regular Meeting: March 19, 2009
- b. Planning Meeting: May 6-7, 2009

The Minutes were not approved for lack of quorum.

A discussion arose regarding the May Planning Meeting and the intermittent failure of recording equipment and subsequent omissions from the minutes. Vicky Apala-Cuevas expressed concern that her discussion regarding conversations with Susan Aden, Iowa Attorney General's Office, was omitted from the May minutes. This discussion centered on the lack of ceremonial wood and rock for incarcerated Native Americans. Ms. Aden was working with the Iowa Department of Corrections on behalf of the Commission. Apala-Cuevas stated she purposely discussed the matter so that it would be documented, but the recorder failed. She was concerned about the process to include it in the minutes.

Brian Jennings stated that Judy Allen was reviewing the minutes of that meeting and would most likely inject any missing details that she could recall. Jennings reassured the group that the goal is to have complete and accurate minutes. He urged Commissioners to review minutes from meetings and submit changes or corrections whenever appropriate.

A discussion was held regarding a banner to be used at various events. Previous conversations with National Guard representatives indicated that the Guard would provide the banner at no charge. Preston Daniels suggested that Commissioners agree upon the banner artwork and overall design before proceeding any further. The following commissioners agreed to form a committee to preside over the artwork selection process: Joe Dan Coulter, George Leduc, and Vicky Apala-Cuevas.

A calendar of events was suggested and discussed. However, the task was not assigned.

Joe Dan Coulter reported on a two-day Indian child welfare conference sponsored by the Meskwaki Tribe. He noted presentations by representatives from the Iowa Department of Human Services (DHS) and felt it provided insight into issues from an administration standpoint. Leduc stated the root of the issue is the difference in the interpretation of "tribe member" by both the Indian community and the State, coupled with the procedure for referring the case to the county attorney and/or the Tribal Court system. He felt the information presented was very valuable.

Karen Mackey noted that if a child is a tribal member, the case is not automatically forwarded to the Tribal Court—the tribe is notified and has an opportunity to intervene if they choose to do so.

Apala-Cuevas discussed a letter received from Director Eugene Gessow, Iowa Department of Human Services. The letter stated that the Department was aware of the situation and that DHS was working with other Department heads and county personnel in both Woodbury and Tama Counties. Apala-Cuevas stated that follow up needs to be done with Judy, Teresa, and Larry.

Brian Jennings clarified that because Eugene Gessow was not confirmed as DHS director by the Senate, Charles Krogmeier was appointed by the Governor as the new DHS director. Jennings stated he has met with Krogmeier regarding the issue and was certain that Krogmeier was scheduled to meet with Judy's group in Sioux City; however, he was uncertain if the meeting had taken place and would need to defer to Judy for details.

VI. Old Business

a. Request to Meet with Governor, Thank You Letters, Letter of Support, Roberts Rules, Use of DHR Secretary—Chair Judy Allen

Request to Meet with Governor:

Brian Jennings discussed a request by Judy Allen to meet with the Governor, Frank LaMere, Judy Morrison, and three other Commissioners. Jennings stated the purpose of the meeting surrounds several issues: DHS/Indian child welfare, the Department of Corrections, and funding. Because of the number of commissioners in attendance, Jennings stated it would not be considered a Commission meeting. A date and time had not been determined, but would be provided when details were finalized.

Thank You Letters:

Apala-Cuevas noted that letters were sent to Larry Lasley, Executive Director of the Meskwaki Tribe; and the Four Directions Community Center to convey appreciation for the use of meeting facilities. Copies of these letters were included in the meeting handouts.

Letter of Support:

Apala-Cuevas was uncertain as to the purpose of this agenda item and would need to defer to Judy Allen, Chair.

Roberts Rules:

Apala-Cuevas was uncertain as to the purpose of this agenda item and would need to defer to Judy Allen, Chair.

Use of DHR Secretary:

Daniels informed the Commission that Dottie Schiltz had been hired as Executive Secretary and would record the minutes during future meetings. Daniels provided background information regarding her qualifications.

Daniels noted that Molly Pim is the primary contact for the Commission and that Dan Altis is working with her.

b. Commission Budget, Other Business—Preston Daniels

Commission Budget:

Daniels reported that the new fiscal year began July 1 and that the budget is just over \$5,000 (last year was just over \$6,000). Daniels encouraged the Commission to consider holding meetings in Des Moines to reduce reimbursement expenses related to overnight accommodations and meals.

Apala-Cuevas stated that the Commission had specifically chosen not to hold meetings in the Lucas Building, however, Camp Dodge had been offered as a possible site. The possibility of holding meetings via teleconference was also addressed.

Expenses related to the presentation by Brian Mayer were discussed. Apala-Cuevas stressed it was important to her to receive an itemized accounting of the Commission's budget and expenses. Brian Jennings agreed it would be beneficial to discuss the budget status during each meeting. Other ways to provide funding via fundraising and grants were also discussed.

Apala-Cuevas requested a printout of the budget back to October 2008. Daniels agreed to provide an accounting of past expenditures for the Commission. Jennings discussed that for accounting purposes, the "books" are left open to allow for charges incurred in June that are paid in July.

c. Report from Brian Jennings

Jennings noted that approximately one and one-half years ago, the Governor's office began scheduling meetings in Sioux City to address issues important to Native Americans. Sioux City was chosen because of the concentration of Native Americans compared to the rest of Iowa. The meetings are held on a regular basis and have included the Departments of Human Services, Workforce Development, Economic Development, and Public Health, as well as Frank LaMere, and Judy Yellowbank.

Jennings discussed a recent meeting where core issues related to chronic unemployment were addressed. The main issue centered on the "Promise Jobs" effort, part of the Family Investment Program (FIP) run by Workforce Development. Jennings understood that work was being done locally to further look into the matter.

Jennings also stated that it was his understanding that the Department of Human Rights would take over coordinating the meetings by putting together agendas and meeting locations.

Joe Dan Coulter discussed the need for Native American representation on State boards and commissions. He gave an example of how emergency preparedness and response funding distributed after September 11, 2001, was not forwarded to the Indian community.

Daniels asked Jennings if boards or commissions are tracked by ethnicity. Jennings responded that the Governor's office does work to find diversity on boards and commissions, but felt the issue was with informal work groups within departments where appointments are made by directors. A discussion ensued regarding examples of informal work groups

Coulter requested that Daniels and Jennings convey his concern to the appropriate parties. He did not feel there has been any intentional discrimination, but that awareness is important. He stated it was incumbent upon the Indian community to make themselves and their leaders visible, available, interested, and concerned and work in partnership with State to address Native American issues.

Daniels asked Coulter for patience since, at this time, there is no division administrator to accomplish some of the work. Daniels added he would like to build a database of Native American volunteers to serve on task forces and commissions in order to incorporate ideas, concepts, and direction from the community. Jennings suggested the commissioners begin soliciting volunteers and forward the information.

Mary Mascher, Iowa City, joined the meeting.

d. Report on Capitol Display—Commissioners/Committee Members Essman-Mahoney, Coulter, Jewett

Joe Dan Coulter reported on the progress of a Native American display at the Capitol. He noted that contacts have been made with key personnel at the State level. However, he cautioned that progress could be slow due to coordination with the various tribes, overall display design, and approvals from the various State entities. Jennings noted that it would be helpful if a staff member was available to help coordinate the effort.

Apala-Cuevas noted that previous discussions had included the ability to change the display to represent different time periods, tribes, etc.

e. Transcripts for DHR from Sioux City open forum Sioux City meeting—Preston Daniels

Daniels stated that the transcripts from the Sioux City meeting are available and comprise three CD's. After some discussion regarding costs to provide and mail CD's, it was agreed that interested parties could download the files from the website.

Apala-Cuevas congratulated George Leduc regarding an award he received from the Governor. [Transcriptionist was unable to hear what the award was regarding.]

f. Report from Howard Smith

No report.

VII. New Business

a. Discussion and Approval of Planning Meeting Document

Preston Daniels reviewed the "Goal Setting & Planning Initiative" report prepared by Brian Mayer, Iowa Department of Administration Services. Daniels suggested combining the development of the plan with an all-day Commission meeting in Des Moines to avoid additional costs associated with travel reimbursements. Daniels recommended holding the meeting in Des Moines so that Mayer would not incur travel fees.

Because a quorum was not present, the plan was not approved.

b. Report on Coalition Meeting—Judy Morrison, Vicky Apala-Cuevas

No report. Judy Morrison was not in attendance.

c. Agenda Items for the Next Meeting

Jennings referred to the proposed meeting with the Governor discussed earlier. The meeting would provide an opportunity to discuss Indian child welfare, Commission budget, and other issues having a legislative impact. Jennings was hopeful the meeting would be held prior to the next Commission meeting and requested ample time to work with the Governor's schedule. October 14 was suggested as the next Commission meeting.

Karen Mackey suggested holding interim teleconferences to accomplish some of the Commission's work. A discussion included feasibility and budget issues related to teleconferences/conference calls, as well as possible open meeting violations related to group emails and commissioner responses that could be construed as official Commission meeting(s).

Jennings suggested possible topics for an interim meeting could include follow up on the various state workgroups, the capitol display, and the strategic planning document. Daniels discussed compiling a database of agencies that work with or provides services to Native Americans within the state.

The members are to submit agenda items to Molly Pim at (515) 281-0898.

VIII. Other Business

a. Report on DOC Issues—Judy Morrison

Apala-Cuevas stated she spoke with Judy Morrison who reported on meeting with the new deputy director of the Iowa Department of Corrections. Morrison conveyed that the Director was very open and sensitive to the prison issues. The meeting, originally scheduled for an hour, lasted most of the day, therefore, Morrison was able to discuss everything. The Director planned to look into the matter and report back to her in a couple weeks. Morrison will forward that information to the Commission accordingly.

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Apala-Cuevas stated she had discussed with Judy Allen about sending a letter to the Attorney General to inquire if any progress had been made on the issue of stone and wood. Apala-Cuevas was not sure if Allen had sent the letter.

Karen Mackey welcomed the Commission to the Quad Cities. She was encouraged that the State of Iowa was working with the Native Americans and thanked the Commission for their efforts.

The group recessed for lunch at this time.

No other audio from the meeting was provided.

Lunch 11:45 am – 1:00 pm

IX. Presentations:

- a. 1:00 – 2:00 pm Red Spider Project—Rob Knuth/Jordan Rice
- b. 2:00 – 3:00 pm Jennifer Nesahkluah, I.C.W.A.
- c. 3:00 – 4:00 pm Frank LaMere

X. Public Comment

XI. Schedule next Meeting

XII. Adjourn

Respectfully submitted,



Julie Rinker-Lind
Administrative Secretary